

## **REMARKS/ARGUMENTS**

Applicant responds herein to the Office Action dated August 3, 2007.

Claims 1-14 are currently pending in the Application. Claims 1-14 were rejected in the Office Action. Applicant has amended Claims 1, 4-10 and 12-13 and respectfully requests reconsideration of the rejection.

Claims 1-14 were objected to because of certain informalities. In accordance with the Examiner's requirement, Applicant has substituted terms "radio line," "upline" and "downline" with terms "radio link," "uplink" and "downlink," respectively.

Claims 1, 6, 9-10 and 14 were rejected in the Office Action under 35 U.S.C. §102 (b) as being anticipated by Ushirokawa (5,621,764). Claims 4-5, 8 and 13 were rejected under 35 U.S.C. §102 (e) as being anticipated by McCune, Jr. (6,850,736). Applicant respectfully disagrees and requests reconsideration of the rejections.

Independent Claims 1, 4, as amended, are directed to a mobile communication system including a bearer quality control part, which updates a quality of a corresponding bearer when a control means of a radio base station controller determines a change in the communication quality between a radio base station and a mobile terminal. The communication quality between the radio base station and the mobile terminal is determined on the basis of information from the radio base station regarding the amount of interference. Claims 6, 8, directed to the radio base station controller, and Claims 10, 13, directed to a transmitting and receiving power control method, include similar limitations.

None of the cited prior art discloses a bearer quality control part which updates bearer quality in response to the detected changes in communication quality. Instead, Ushirokawa discloses a soft decision signal outputting system which performs signal quality determination by comparing the value of signal quality information with a set of thresholds. While this process allows Ushirokawa to determine signal reliability information, nothing in its disclosure suggests using a bearer quality control part to update bearer quality when changes in communication quality are detected. In fact, the art of using a soft decision signal for a radio line control is significantly different from the technological field of the present application. It would have been

impossible to use soft decision data with the mobile communication system and method using the bearer control part, as recited in independent Claims 1, 4, 6, 8, 10 and 13.

McCune, Jr. discloses a reception quality indicator 160 which indicates the quality of the signal received by a communication device 105. The value displayed by the reception quality indicator obviously depends on the quality of the reception signal itself. In other words, as the quality of the communication signal decreases, the value shown on the indicator decreases as well. However, nothing in McCune's disclosure suggests using a bearer quality control part to update bearer quality when changes in communication quality are detected. Moreover, nothing in McCune suggests that its teachings may be used in combination with the soft decision signal of Ushirokawa.

Based on the above, Claims 1, 4, 6, 8, 10 and 13 are believed to be in condition for allowance. Since each of claims 2-3, 5, 7, 9, 11, 12, and 14 is directly dependent upon one of independent claims 1, 6, and 10, each of claims 2-3, 5, 7, 9, 11, 12, and 14 is allowable for the same reasons recited above with respect to the allowability of independent claims 1, 6, and 10.

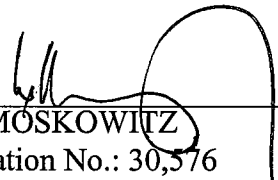
For at least the reasons set forth above, Applicant respectfully submits that this patent application is in condition for allowance.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

The Examiner is urged to telephone Applicant's undersigned counsel if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
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Respectfully submitted,

  
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